

(REGULATIONS)

The 12th June, 1972

No. 6728-2FR-71/19356.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf the Governor of Haryana is hereby makes the following rules further to amend the Punjab Civil Services Rules Volume II, as are applicable to the Haryana Government employees, namely :—

1. These rules may be called the Punjab Civil Services Volume II (Haryana Second Amendment) Rules, 1972.
2. In the Punjab Civil Services Rules, Volume II, in rule 7.18 in note 4, for clause (a) the following shall be substituted namely :—

“(a) In determining the pay of a re-employed pensioner the following principles shall be observed, namely :—

- (i) the initial pay on re-employment shall be fixed at the minimum stage of the scale of pay prescribed for the post in which an individual is re-employed.

- (ii) in addition to (i) above, the Government employee may be permitted to draw separately any pension sanctioned to him and to retain any other form of retirement benefit e.g. gratuity, commuted value of pension etc., provided the total amount of initial pay as at (i) plus gross amount of pension and/or the pension equivalent of other forms of retirement benefits does not exceed the pay he drew before this retirement (pre-retirement pay) of Rs. 3000/- whichever is less.

- (iii) in all cases, where either of these limits is exceeded, the pension and other retirement benefits may be paid in full and necessary adjustment made in pay so as to ensure that the total of pay and pensionary benefits is within the prescribed limits.

- (iv) once the initial pay of a re-employed pensioner has been fixed in the manner indicated above he may be allowed to draw normal increments in the time scale of the post to which he is appointed, provided that the pay and gross pension/pension equivalent of other retirement benefits taken together do not at any time exceed Rs. 3000/- per month.

- (v) in cases where the minimum pay of the post in which the Government employee is re-employed is more than the last pay drawn, the Government employee concerned may be allowed the minimum of the prescribed scale of post, less pension and pension equivalent of other retirement benefits,

- (vi) where after the pay is fixed at the minimum, it is reduced below minimum as a result of adjustment as at (iii) increase in pay may be allowed after each year of service at the rates of increment admissible, as the pay had been fixed at the minimum.

Explanation.—Pay drawn before retirement will be taken to be the substantive pay plus special pay, if any, and pay drawn in an officiating appointment may be taken into account if it was drawn continuously for atleast one year before retirement.

The 7th July, 1972

No. 7181-2FR-71/21765.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf the Governor of Haryana hereby makes the following amendment in the Punjab Civil Services Rules Volume II, namely :—

1. These rules may be called the Punjab Civil Services, Volume II (Haryana Third Amendment) Rules, 1972.

2. In the Punjab Civil Services Rules, Volume II, in rule 7.26, after clause (c), the following explanations shall be inserted, namely :—

“*Explanation 1.*—For the propose of this rule commercial employment under a co-operative Society shall include the holding of any office, whether elective or otherwise such as that of President, Chairman, Manager, Secretary, Treasurer and the like by whatever name called in such a Society ;” and

“*Explanation 2.*—For the purpose of this rule, commercial employment shall also include setting up practice, either independently or as a partner of a firm, as Advisor or consultant in matters in respect of which retired Government servant,—

- (i) has no professional qualifications and the matter in respect of which the practice is to be set up or is carried on or relatable to his official knowledge or experience ; or

- (ii) has professional qualifications but the matters in respect of which such practice is to be set up are such as are likely to give his clients an unfair advantage by reason of his previous official position ; or

- (iii) has to undertake work involving liaison or contact with the officers or officers of the Government.”

N. N. KASHYAP,